[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—POINT OF ORDER *RE* QUESTION RELATING TO LEGISLATURE SECRETARIAT—SHORT NOTICE QUESTION.

MR. SPEAKER :—" I hope the House will remember that the hon. Member Sri Kalyanasundaram raised a point of order the other day whether a question pertaining to the department of the Legislature should be answered here by the Hon. Finance Minister, I mean, the Leader of the House. The House will also remember that I told the House I would give my ruling later. The practice in England is when a question pertaining to the jurisdiction of the Speaker is raised, it is given private notice of . . ." 9-30 a.m.

SRI S. PANCHAKSHARAM :—" Point of order, Sir."

MR. SPEAKER :—" Point of order on Speaker's ruling? " (Laughter.)

SRI S. PANCHAKSHARAM :—" Sir, on such matters, I believe the members of the House are entitled to express their views."

MR. SPEAKER :—" You need not express your views. In the House of Commons, questions relating to the departments over which the Speaker has jurisdiction are answered privately. I do not know whether hon. Members know what I mean by saying ' privately '. That means, the questions are asked privately by addressing the Speaker and the answers are given by the Speaker in his Chamber and not in the House."

SRI K. VINAYAKAM :—" How does it get publicity, Sir? "

MR. SPEAKER :—" The hon. Member is always thinking of publicity. It is not necessary to have publicity.

" So, questions relating to matters over which the Speaker has jurisdiction are addressed to the Speaker in writing and the Speaker answers them in his Chamber. There the jurisdiction is entirely in the hands of the Speaker. This should be remembered. In the House of Commons, the Clerk's Department is entirely in the hands of the Speaker. In Delhi also, the Speaker of the Lok Sabha is not allowing such questions to be answered in Parliament."

SRI M. KALYANASUNDARAM :—" Sir, before you give your ruling, I want to say this. I am not very anxious that this question should be answered publicly. If the Hon. Speaker wishes to answer it privately, I have no objection. What I want is remedy and not publicity."

MR. SPEAKER :—" I am not speaking about publicity, whether we should send it to papers for giving a big heading and all those things."

SRI S. DAIVASIGAMONEY :—" Sir, are we not entitled to know the answer of the Speaker? "

MR. SPEAKER :—" Every member can come and get the answer from the Speaker. I am going to give a ruling on this matter.

" I told just now that in Delhi also, the Speaker is not allowing similar questions to be answered in Parliament. It is given private notice of and answered in the Chamber. But the House would remember that the Secretariat of the Lok Sabha is entirely in the hands of the Speaker and it is in his jurisdiction. And there is a separate Secretariat for the Rajya Sabha. Here it is not the case. Here there is a Council and there is a Chairman of the other House."

SRI S. PANCHAKSHARAM :—" I have got a doubt, Sir."

MR. SPEAKER :—" What is that doubt? "

SRI S. PANCHAKSHARAM :—" The State Legislature is also a portfolio in the hands of a particular Minister. Any matter relating to the State Legislature Secretariat can be replied to by that Minister in charge of the State Legislature. Here the question has been posed to the Hon. Finance Minister and therefore why not the Finance Minister be allowed to answer that question? Besides, the State Legislature is not such an autonomous body or an independent body like the Judiciary or the Public Service Commission. For instance, even questions relating to the Judiciary and Public Service Commission are raised in this House and the Ministers are answering them. It is not as if it is a ' State within a State '. Therefore why not questions relating to the State Legislature be answered here in this House? "

MR. SPEAKER :—" The hon. Member may become a member of the Lok Sabha and then he will know that he is not allowed to put such questions there."

SRI S. PANCHAKSHARAM :—" My submission is this . . ."

(At this stage Sri V. Balakrishnan stood up in his seat.)

MR. SPEAKER :—" Point of order on point of order? "

SRI V. BALAKRISHNAN :—" Sir, is it proper to disturb and interrupt the Hon. the Speaker like this? "

DR. K. B. MENON :—" On a point of information, Sir, every question that is asked in this House is supposed to be of public interest. If these questions relating to the Legislature Secretariat are addressed to the Speaker and if they are answered in private, what opportunity will the House have to know what those questions are and what the answers are? "

MR. SPEAKER :—" What happens in England as well as in Delhi is this. If the hon. Member has any doubt regarding this he can write or come to the Speaker. I am giving information on what is happening in Delhi as also in the House of Commons.

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"I have already told the House that in Delhi there are two separate Secretariats. So also in England there are separate Secretariats for the House of Commons and for the House of Lords. So, it is entirely in the hands of the presiding Officers there. It is not so here. Both the Speaker and the Chairman are concerned. Apart from this, our Constitution provides [Article 187 (2)] that the Legislature may by law regulate the recruitment, and the conditions of service of persons appointed to the Secretariat staff of the House, etc. Note the word 'may'. So far we have not passed any law in this direction. Therefore, the Speaker can answer the question only in his Chamber and not here.

"I must tell the House that our House meets every year—I am speaking of the calendar year and not the financial year. Last year, we met for 67 days and the Council met for 35 days; the number of hours we work on an average is much greater than that of the Council. Though normally we are expected to work for 5 hours a day, we work for more than six hours and we have also night sittings. The Council works for 3 hours a day, I think. In 1954, we met for 67 days and the Council met for 35 days. Further for both the Houses, we have a common staff. Where we have not got separate secretariats, the Governor is expected to consult both of us. What I say is that the Speaker's voice may be drowned in the voices of the Governor's representative and the representative of the Council, namely, the Chairman. I do not say that it is so. But it may be drowned in the voice made by the Governor's representative and the Chairman of the Council. So, the Speaker cannot take the responsibility to answer the question even in his Chamber. (Laughter.)

"I want to make the point clear. In England there are separate Secretariats and the Speaker is entirely responsible for his Secretariat. In Delhi also, the Speaker has a separate Secretariat and he is entirely responsible and so the President consults the Speaker there. In the House of Commons the Speaker is consulted. Here both of us Speaker and Chairman are consulted. It may so happen that the Speaker's suggestion may be drowned in the voice of the Governor's representative and the Council's representative. So the Speaker cannot take the responsibility of answering such questions in his Chamber. The hon. Member Sri Panchaksharam Chettiar raised a pertinent question, as to where such questions would be answered. Supposing I have a separate Secretariat anything that is asked here will be more like a censure on the Speaker; it will be a reflection on the Speaker. That is why even cut motions are not allowed in Delhi, Lok Sabha. But we are different here. I wish that Government will bring in a legislation soon, so that the House itself may regulate the recruitment, emoluments and other things, I think, as there is dual control now in the Legislature Secretariat, the Hon. Leader of the House will answer this question."

SRI S. RAMALINGAM :—"A doubt, Sir."

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MR. SPEAKER :—" A doubt will always be heard."

SRI S. RAMALINGAM :—" Sir, the Governor may and will consult the Speaker and the Chairman for any appointment. I want to know whether the Speaker was consulted in a particular . . ."

MR. SPEAKER :—" I am consulted in everything."

SRI S. RAMALINGAM :—" I want to know whether in a particular instance the Speaker was consulted. If I am permitted I shall put a question."

MR. SPEAKER :—" I am consulted in everything."

*SRI G. GOVINDAN :—" கனம் சபாநாயகர் அவர்களே, தாங்கள் தற்போது கொடுத்திருக்கும் ரூலிங் ரொம்பவும் முக்கியமானதாகும். ஆனால் ஆங்கிலத்தில் தற்போது தாங்கள் கூறியதால் ஆங்கிலம் தெரியாத எங்களுக்கு அவை புரியவில்லை. தற்போது அவற்றை தமிழில் சொல்வதாக இருந்தால் காலதாமதம் ஆகும். ஆகவே அவற்றைப் பின்னராவது தமிழில் எங்களுக்கு ஒரு சர்க்குலர் மூலமாக அனுப்பிவைக்குமாறு கேட்டுக்கொள்ளுகிறேன்."

MR. SPEAKER :—" அப்படியே பின்னால் சர்குலர் அனுப்பி வைக்கிறேன்."

9-40 a.m. * SRI T. ANANTA PAI :—" Sir, you were good enough to explain to us the convention in England where such questions have got to be put privately and would be answered privately. That has created a certain amount of confusion in our minds because you have not explained why they should be put privately."

MR. SPEAKER :—" Because it will be a reflection upon the conduct of the Speaker. If the hon. Member has got any doubt or misgiving about the working of the Speaker's Secretariat, he can straightway bring forward a no-confidence motion."

* SRI K. P. KUTTIKRISHNAN NAIR :—" On a point of clarification, Sir. Suppose a no-confidence motion is brought forward in respect of the management of the Secretariat under the Speaker. What is the provision relating thereto? If it is to be dealt with by the Ministers or representatives of the Governor, we can bring it here. Otherwise, what will be the provision?"

MR. SPEAKER :—" Suppose the House makes a law in regard to the recruitment and other conditions of service of employees of the Legislative Assembly Secretariat and the department is entirely under the supervision of the Speaker. Suppose he is not carrying out the provisions of that law. Then, naturally it means that he is not able to control the Legislative Assembly Secretariat."

SRI M. KALYANASUNDARAM :—" I am glad that my point of order has evoked a statement on this important issue. But, my object in putting the question was only to seek a remedy."

MR. SPEAKER :—" Then, the hon. Member does not want that the question should be answered now?"

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Sri M. KALYANASUNDARAM :—"I am just coming to that point. Now that you have explained the delicacy of the situation, I am only appealing to the Hon. the Leader of the House to examine the question and to reach a settlement in regard to this matter. In order to help that, I do not propose to press my question."

Mr. SPEAKER :—"The hon. Member is not pressing his question."

The hon. Member Sri Karuthiruman has given notice of a motion under rule 40 of the Assembly Rules.

III.—MOTION UNDER RULE 40 OF THE ASSEMBLY RULES *RE* DAMAGE CAUSED BY HAILSTORM IN CERTAIN FIRKAS OF GOBICHETTIPALAYAM TALUK.

Sri P. G. KARUTHIRAMAN :—"கனம் சபாநாயகர் அவர்களே மார்ச்சு மாதம் நான்கு, ஐந்தாவது தேதிகளில், அதாவது வெள்ளி, சனிக்கிழமைகளில் கோபிச்செட்டிபாளையம் தாலுக்காவில் ஒரு பெரிய மண்மாரியும், கல்மாரியும் பொழிந்து ஏகப்பட்ட சேதத்தை விளைவித்து இருக்கிறது. குறிப்பாக சிங்கிரிபாளையம், சத்தியமங்கலம், செம்பப்பதூர், ஏலூர் ஆகிய இடங்களில் அதிகச் சேதம் ஏற்பட்டிருக்கிறது. கிண்டியம் பாளையம், எருமைக்காரன்பாளையம், பெரியூர், சொத்தக்காடு, நாகரிணை, பூனைமேடு ஆகியவற்றிலும் ஏராளமாக கால்நடைகளுக்குச் சேதம் ஏற் பட்டிருக்கிறது. உயிர்சேதம் மாத்திரம் 11 ஏற்பட்டிருக்கிறது. இரண்டு பெண்கள் இறந்ததாகவும் தகவல் எனக்கு எட்டியிருக்கிறது. ராஜ்யத்தில் வேறு எந்தப் பகுதியிலும் இவ்வளவு பெரிய நஷ்டம் ஏற்பட்டிருக்காது. அந்தப் பிராந்தியங்களிலுள்ள ஏழை எளிய விவசாயிகளுடைய குடிசைகள் எல்லாம் சேதமாகியிருக்கின்றன. காற்றினால் அடிக்கப்பட்டு பாழ் படுத்தப்பட்டிருக்கின்றன. அப்பொழுது விழுந்த ஒரு பனிக்கட்டியின் எடை மாத்திரம் 15 மணங்குக்கு மேல் இருந்தது. அதை அடுத்த நாள் தாசீல்தார் ஆபீசில் எடுத்து எடை போட்டபோது ஐந்து மணங்கு நான்கு ராத்தல் இருந்திருக்கிறது. அதோடு நூறு வருஷங்களுக்கு முன்னால் கூட இதுமாதிரியான சேதம் ஏற்பட்டதாக தெரியவில்லை ஆகவே சர்க்கார் ஏழை மக்களுக்கு உடனடியாக நிவாரணம் அளிக்க முன்வரவேண்டும், அந்தப் பிரதேசத்திலுள்ள மக்கள் இந்த மண்வாரி, கல்வாரி மழையினால் பெரிதும் பாதிக்கப்பட்டிருக்கிறார்கள், உடனடியாக செய்யக்கூடிய உதவி தான் அவர்களுக்குப் பெருத்த நன்மையை விளைவிக்கும் என்று சொல்லிக் கொள்ளுகிறேன்."

* The Hon. Sri M. A. MANICKAVELU :—"Sir, there was a heavy hailstorm on 4th March 1955 between 4-30 and 6-30 p.m. in Satyamangalam firka of Gobichettipalayam taluk. Ten villages have felt the intensity of the storm. The loss involved is reported as follows :—

(1) The roofs of most of the houses in two villages of Pudukalayanur and Ukkaram were damaged and tiles broken.

(2) Fifty-five cattle died. Several received injuries.

(3) Some women mazdoors were struck by the storm and one died. About 22 persons in the village were injured and standing crops over a wide area were destroyed.

Medical aid has been given to the injured men and cattle. The Collector has postponed the collection of kist in the ten villages